

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

AGERE SYSTEMS, LLC, et al.,

Plaintiff,

v.

ADVANCED ENVIRONMENTAL
TECHNOLOGY CORPORATION, et al.,

Defendants.

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CIVIL ACTION NO.
02-cv-3830 (LDD)

**DECLARATION OF MELISSA E. FLAX PURSUANT
TO LOCAL CIVIL RULE 7.1(b)**

MELISSA E. FLAX, of full age and upon her oath declares as follows:

1. I am a member of Carella, Byrne, Bain, Gilfillan, Cecchi, Stewart & Olstein, attorneys for Defendant, Handy & Harman Tube Company, Inc. ("H&H Tube"), and am admitted *pro hac vice* before this Court in connection with the above captioned matter.

2. I submit this declaration pursuant to Local Civil Rule 7.1(b).

3. On July 15, 2008, Plaintiffs, Agere Systems, Inc., Cytex Industries Inc., Ford Motor Company, SPS Technologies, LLC and TI Group Automotive Systems, LLC ("Plaintiffs") and H&H Tube filed a joint Motion for Order of Dismissal. Docket Entry 395.

4. The Motion for Order of Dismissal was served on defendant, Carpenter Technology Corporation via electronic filing with the Court.

5. The time to submit opposition has expired.

6. Pursuant to Local Civil Rule 7.1(b), the joint Motion for Order of Dismissal should be granted.

I declare under penalty of perjury that the foregoing is true and accurate.

Executed on this 30th day of July, 2008.


MF 1386
MELISSA E. FLAX